

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

CHAVEZ et al.

Serial No.: 10/676,659

Filed: September 30, 2003

Atty. File No.: 4366-157

For: "METHOD AND APPARATUS FOR  
MIGRATING TO AN ALTERNATE CALL  
CONTROLLER"

) Group Art Unit: 2616

) Examiner: NGUYEN, HANH N.

) Confirmation No.: 8989

) INTERVIEW SUMMARY

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE  
IS BEING TRANSMITTED VIA THE OFFICE  
ELECTRONIC FILING SYSTEM IN ACCORDANCE  
WITH 37 CFR §1.6(a)(4) ON

September 12, 2008  
SHERIDAN ROSS P.C.

BY: Leslie M. Franklin

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On September 11, 2008 and September 12, 2008, the undersigned and Examiner Nguyen discussed the pending rejections. In particular, the Examiner telephoned the undersigned on September 11 to remind the undersigned that certain claims had been found to be allowable, and to suggest that the remaining claims be canceled. In response to the Examiner's suggestion, the undersigned reviewed the pending claims and the cited references, and telephoned the Examiner on September 12 to discuss in detail. In particular, the undersigned emphasized that the claim feature of storing call state information in a communication endpoint or telephone and providing such information from the telephone to an alternate call controller in response to a failure of a call signaling channel between the primary controller and the communication endpoint was completely absent from the cited references. In particular, the Forlenza reference does not disclose sending call state information from a telephone to an alternate controller in response to a loss of a call signaling channel. Indeed, Forlenza does not discuss the loss of a signaling channel at all. The Erb reference also does not disclose sending call state information from a communication endpoint to an alternate controller in response to a failure. Instead, Erb discusses


an arrangement according to which redundant copies of dialing plans and local device configurations are stored on a remote peripheral device to which a plurality of devices (*e.g.*, telephones) are connected, and in which the redundant copy stored on the remote peripheral is used to service telephones after a connection between the main controller and the peripheral is lost. Accordingly, no agreement regarding allowable subject matter was reached.

In summary, because the cited references do not teach, suggest or disclose providing call state information from a telephone or other communication endpoint to an alternate controller in response to the loss of a signaling channel with a main controller, the pending claims are not obvious in view of the references cited in the previous Office Action.

The Examiner is invited to contact the undersigned by telephone if doing so would be of assistance.

Respectfully submitted,

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Date: September 12, 2008